

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

VICKY LYNN,)	CASE NO. 5:24-cv-00153
)	
Plaintiff,)	
)	
v.)	JUDGE DAVID A. RUIZ
)	
DANIEL J. BEERS, <i>et al.</i> ,)	
)	ORDER
Defendants.)	

On February 1, 2023, a class action complaint was filed in the District Court of South Carolina. (R. 1). On January 25, 2024, this action was transferred to the Northern District of Ohio after the latter determined that this action was related to an action before this Court—*Glasgow v. Beers, et al.*, 5:21-cv-2001-DAR. On March 28, 2024, this Court instructed all Defendants to file an Answer no later than April 26, 2024, notwithstanding the fact that a defendant may also have filed a motion to dismiss.¹

On the same date, the Court denied several motions to dismiss as moot to the extent they asserted a lack of jurisdiction before the South Carolina District Court. (R. 111 & 112). The Court further denied without prejudice Defendants' Motion to dismiss for failure to state a claim “subject to potential refiling **after** the Court holds a status conference.” *Id.* (emphasis added).

Notwithstanding the above instructions, two sets of Defendants filed separate motions to dismiss. (R. 116 & 118). Those motions are hereby DENIED without prejudice as premature.

On May 17, 2024, without leave of Court and contrary to Fed. R. Civ. P. 15, Plaintiff

¹ Answers were filed on the specified date. (R. 113, 114 & 115).

filed an Amended Complaint. (R. 123). Defendants filed a Joint Motion to Strike the Amended Complaint, indicating Plaintiff had failed to seek Defendants' consent or leave of Court. (R. 127). The Motion to Strike (R. 127) is GRANTED. No motion for leave to amend the Complaint shall be filed until the parties have discussed the issue of amending the pleadings at a planning meeting *and* until the Court holds a case management conference providing further instructions.

IT IS SO ORDERED.

s/ *David A. Ruiz*

David A. Ruiz
United States District Judge

Date: June 10, 2024